

REMARKS

Examiner Kelly L. Jerabek is thanked for the thorough examination and search of the subject Patent Application.

Claim 26 has been amended.

All Claims are believed to be in condition for Allowance, and that is so requested.

Reconsideration of rejected claims **1 - 8, 10 – 16, and 26** under 35 U.S.C. 103(a) as being unpatentable over Narayanaswami et al (US pub. 2003/0011684) in view of Inoue et al. (US 6,273,535) is requested based on amended claim 26 and on following remarks:

Claim 1 of the claimed invention teaches:

1. A method of embedding camera information and image capture related information in a digital form of an image, comprising:
 - receiving information on a first static camera characteristic **suitable to enhance image reproduction**;
 - receiving camera setting information related to a first captured digitized image;
 - generating an encryption key based at least in part on the first static camera characteristic;
 - embedding a watermark in said first captured digitized image, wherein the watermark contains at least a portion of the information on the first static characteristic and at least a portion of the camera setting information related to said first captured digitized image; and
 - encrypting the watermark using the encryption key.

Narayanaswami et al do not disclose "receiving information on a first static camera characteristic suitable to enhance image reproduction" as the claimed invention does in

base claim 1. Narayanaswami et al. do not disclose even receiving any information on a first static camera characteristic.

Narayanaswami et al teach (page 3, paragraph 35):

"[0035] In addition, a flux gate magnetometer (FGM) 130 of any conventional type is operatively connected to the CPU 102 for measuring the **orientation** of the principal axis of the camera 100 (in 3 dimensions). For instance, the FGM 130 provides an "image mode" parameter to indicate whether the camera 100 is in a portrait mode (vertical dimension is larger) or landscape mode (horizontal dimension is larger) mode. Alternatively, the camera 100 may include either a conventional gyroscope or compass (not shown) in lieu of the FGM 130 for determining the **orientation** of the camera 100."

Applicant respectfully disagrees that in regard of the teachings of Narayanaswami et al. the orientation of the principal axis of a camera measured by a flux gate magnetometer and providing e.g. an "image mode" parameter indicating whether the camera is in a portrait mode or landscape mode is "a static camera characteristic suitable to enhance image reproduction" as claimed in claim 1 of the claimed invention. The result of this kind of measurement can be different for every image taken. The conclusion that this kind of measurement implies that the image sensor is rectangular is speculative. The word "rectangular" has not being used in the disclosure of Narayanaswami et al. at all. As shown above Narayanaswami et al. describe landscape mode as "horizontal dimension is larger" and portrait mode as "vertical dimension is larger". The shape of the image sensor could also be elliptical, quadratic, round or of another shape. Digital images have often the problem of "blurring" at the boundaries of the image. This can be solved by interpolating pixels located close at the boundary with pixels beyond of the boundary. This means that more pixels can potentially be used than actually shown on the final image.

Furthermore it should be noted that Narayanaswami does not disclose any parameters which are specifically owned by each individual camera and which are suitable to enhance image reproduction as e.g. bad pixel characteristics. Such parameters are claimed in claim 1 by "receiving information on a first static camera characteristic suitable to enhance image reproduction".

Furthermore neither Narayanaswami et al nor Inoue et al. disclose "receiving camera setting information related to a first captured digitized image" as the claimed invention does in base claim 1.

Inoue et al. disclose an image forming system wherein the image date are stored in a digital camera as shown in Fig. 1 and described (Col. 4 lines 6-18):

"The digital camera 1 stores input-device-unique information unique to the device in a status memory 4. Also, the digital camera 1 photoelectrically converts an image into an electrical signal using a CCD and the like, and holds a plurality of images as digital image data in an image memory 5. At the same time, the digital camera 1 stores the input states of the individual images held in the image memory 5 and parameters of color processing and the like executed in the digital camera in an image additional information memory 6 as image additional information 11. **Such information is stored in a RAM or a nonvolatile RAM, or a magnetic storage medium or magnetooptical recording medium.**"

This means that according to Inoue's invention the printer must be directly attached to the digital camera because the image data are stored in a memory of the camera.

In regard of claim 1, none of the applied or known references address the claimed invention as disclosed in claim 1 in which a method comprising “receiving camera setting information related to a first captured digitized image” is described as the claimed invention does in base claim 1.

To achieve the method of claim 1 of the claimed invention, which includes camera information and image capture related information in association with a digital form of an image, comprising “receiving camera setting information related to a first captured digitized image” it would be not be obvious to combine the invention of Narayanaswami et al. disclosing “a system and methods for digital image **verification**” with the invention of Inoue et al. disclosing a system wherein “a digital camera stores input-device-unique information” and “the digital camera is connected to a printer by, e.g., an IEEE1394 I/F”. The claimed invention is believed to be patentable over the prior art cited, as it is respectfully suggested that the combination of these various references cannot be made without reference to Applicant's own invention. None of the applied references address or suggest a “receiving camera setting information related to a first captured digitized image” while this is an important feature of the claimed invention to enhance image reproduction. Applicant has claimed his methods in detail.

Claims 2-7 are dependent claims upon base claim 1 which is believed to be patentable according the arguments above.

Claim 8 of the claimed invention teaches:

8. A digital camera system, comprising:

- an imager;
- a first static camera characteristic associated with the imager in regard of enhancing image reproduction;
- a first variable camera setting;
- a watermark generator used to embed in the form of a watermark at least one of said first static camera characteristic and said first variable camera setting information in an image captured by the camera; and
- a key generator configured to generate an encryption key used to encrypt the watermark.

The same arguments apply for claim 8 as for claim 1 discussed above. Neither Narayanaswami et al. nor Inoue et al. disclose "a first variable camera setting" as disclosed in claim 8 of the claimed invention.

None of the applied or known references address the claimed invention as shown in claim 8 in which a digital camera system comprising "a first camera setting" is described.

To achieve the camera system of claim 8 of the claimed invention, which includes camera information and image capture related information in association with a digital form of an image and a watermark generator, comprising "a first camera setting", it would be not be obvious to combine the invention of Narayanaswami et al. disclosing "a system and methods for digital image verification" with the invention of Inoue et al. disclosing a system wherein "a digital camera stores input-device-unique information and "the digital camera is connected to a printer by, e.g., an IEEE1394 I/F". The claimed invention is believed to be patentable over the prior art cited, as it is respectfully suggested that the combination of these various references cannot be made without reference to Applicant's own invention. None of the applied references address or suggest a "a first variable camera setting" while

this is an important feature of the claimed invention to enhance image reproduction..

Applicant has claimed his camera system in detail.

Claims **10-16** are dependent claims upon base claim **8** which is believed to be patentable according the arguments above.

Reconsideration of rejected claim **9** under 35 U.S.C. 103(a) as being unpatentable over Narayanaswami et al (US pub. 2003/0011684) in view of Inoue et al. and further in view of Isnardi et al. US 6,037,984 is requested based on following remarks:

Claim **9** is a dependent claim upon base claim **8** which is believed to be patentable according the arguments above.

The amended claim **26** of the claimed invention teaches

26. A method of including camera information and image capture related information in association with a digital form of an image, comprising:

capturing an image;

digitizing the image;

receiving information on a first static camera characteristic **suitable to enhance image reproduction**;

receiving camera setting information related to a first captured digitized image;

inserting in a data set associated with the digitized image at least a portion of the information on the first static characteristic; and

transmitting the digitized image and the data set to an image processor.

Claim 26 has been amended by adding “receiving camera setting information related to a first captured digitized image”. This amendment corresponds to claim1

The same arguments apply to claim 26 as outlined above for claim 1.

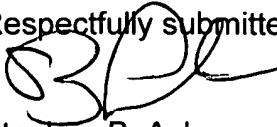
The systems and methods of Claims 1-16 and 26 are believed to be novel and patentable over these various references as outlined above because there is not sufficient basis for concluding that the combination of claimed elements would have been obvious to one skilled in the art. That is to say, there must be something in the prior art or line of reasoning to suggest that the combination of these various references is desirable. We believe that there is no such basis for the combination. We therefore request Examiner Kelly L. Jerabek to reconsider the rejection in view of these arguments.

Applicants have reviewed the prior art made of record and not relied upon and have discussed their impact on the present invention above.

Allowance of all Claims is requested.

It is requested that should the Examiner not find that the Claims are now allowable that the Examiner call the undersigned at 845-452-5863 to overcome any problems preventing allowance.

Respectfully submitted,



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